

**WEDNESDAY, JANUARY 11, 1989**

**SECOND ORGANIZATIONAL DAY**

The House met at 9:00 a.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Rev. Thomas E. Sweeney, First Baptist Church of South Inglewood, Nashville, Tennessee.

Representative Love led the House in the Pledge of Allegiance to the Flag.

**OATH OF OFFICE**

Pursuant to Tennessee Code Annotated 3-1-105, the Speaker administered the official oath of office to Ms. Pam Gaia, duly elected representative from the Eighty-Ninth legislative district.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 97

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

The Speaker announced that Representative Bragg was excused because of illness.

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**SIGNED  
JANUARY 11, 1989**

The Speaker announced that he had signed the following: House Joint Resolution(s) No(s). 4 and 5.

**ELECTION OF MEMBERS TO FISCAL REVIEW COMMITTEE**

In accordance with Tennessee Code Annotated 7-3-101, authorizing the election of the Fiscal Review Committee, such election was held and the following members from the two major political parties were elected.

Representative Byrd nominated Representatives Rhinehart, Love, Collier, DePriest and Yelton of the Democratic Party.

Representative Scruggs nominated Representatives Copeland, Moody, Moore (Shelby) and Henry (Roane) of the Republican Party.

Representative Naifeh moved that the nominations cease and that the Clerk be directed to take the roll, which motion prevailed.

The roll was taken with the following results:

For Nominees . . . . . 97

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

Speaker Murray declared that Representatives Rhinehart, Love, Collier, DePriest, Yelton, Copeland, Moody, Moore (Shelby), and Henry (Roane) were duly elected the Fiscal Review Committee for the ensuing two years.

A motion to reconsider was tabled.

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### POINT OF PERSONAL PRIVILEGE

Mr. Millsaps expressed his appreciation for being elected as Chief Clerk of the House.

### INTRODUCTION OF RESOLUTIONS

\*House Joint Resolution No. 0006 -- Constitutional Amendments -- Restructures state taxes; provides for state and local income and sales and use taxes; exemptions. by \*Copeland.

House Joint Resolution No. 6 was introduced and held on the Clerk's desk pending appointment of the appropriate standing committee.

\*House Joint Resolution No. 0007 -- Constitutional Amendments -- Restructures state taxes; provides for state and local income and sales and use taxes. by \*Copeland.

House Joint Resolution No. 7 was introduced and held on the Clerk's desk pending appointment of the appropriate standing committee.

### RULES SUSPENDED

Rep. Naifeh moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 3 out of order, which motion prevailed.

\*Senate Joint Resolution No. 0003 -- General Assembly, Joint Conventions -- Calls joint convention to elect Secretary of State, State Treasurer and Comptroller of the Treasury.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Naifeh, the resolution was concurred in by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell,

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King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Naifeh moved that the rules be suspended for the purpose of introducing Senate Joint Resolution No. 4 out of order, which motion prevailed.

**\*Senate Joint Resolution No. 0004 -- General Assembly, Adjournment, Recess -- Adjourns organizational session and commences regular session.**

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Naifeh, the resolution was concurred in by the following vote:

Ayes. . . . .	96
Noes. . . . .	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

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**RESOLUTIONS LYING OVER**

**\*Senate Joint Resolution No. 0005** -- General Assembly, Adjournment, Recess -- Provides for recess of the General Assembly.

Senate Joint Resolution No. 5 was introduced and held on the Clerk's desk pending appointment of the appropriate standing committee.

**INTRODUCTION OF BILLS**

**\*House Bill No. 0018** -- Highways, Roads and Bridges -- Makes certain provisions relative to transportation. Amends TCA, Titles 54, 55. by \*Davidson.

Passed first consideration.

**\*House Bill No. 0019** -- Highways, Roads and Bridges -- Provides for toll controlled access highway around Nashville. Amends TCA, Titles 54, 55, 67. by \*Davidson.

Passed first consideration.

**\*House Bill No. 0020** -- County Officers -- Abolishes office of constable in certain counties. Amends TCA, Title 8, Ch. 10. by \*Rhinehart.

Passed first consideration.

**\*House Bill No. 0021** -- Water Pollution -- Deletes requirement of filing administrative assessments in water pollution control and repeals permission for variance. Amends TCA, Title 69, Ch. 3. by \*Davis R E.

Passed first consideration.

**\*House Bill No. 0022** -- Election Laws -- Authorizes property owners in certain municipalities to vote in municipal elections. Amends TCA 6-20-106. by \*Copeland.

Passed first consideration.

**\*House Bill No. 0023** -- Highways, Roads and Bridges -- Designates new bridge at Rock Island the "Rock Island Lions Memorial Bridge". by \*Hillis, \*Rhinehart.

Passed first consideration.

**\*House Bill No. 0024** -- County Government -- Makes County Budget Law of 1990 inapplicable in certain counties. Amends TCA, Title 5, Ch. 22. by \*Hillis.

Passed first consideration.

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**House Bill No. 0025 -- Veterans --** Removes requirement that Tennessee veterans' homes be subject to certificate of need process. Amends TCA, Title 58, Ch. 7; Title 68, Ch. 11, Pt. 1. by \*Hillis, \*Starnes, \*Moore U A, \*Ussery, \*Miller, \*Ellis, \*Moody, \*Yelton, \*Bivens, Robinson Robb.

Passed first consideration.

**\*House Bill No. 0026 -- Apportionment, Legislative --** Redistricts state representative districts 83 and 96. Amends TCA 3-1-103. by \*Kent, \*Hassell.

Passed first consideration.

**HOUSE BILLS ON SECOND CONSIDERATION**

**\*House Bill No. 0001 -- Taxes, Excise --** Passed second consideration and held on Clerk's desk pending appointment of the appropriate standing committee.

**\*House Bill No. 0002 -- Utilities, Utility Districts --** Passed second consideration and held on Clerk's desk pending appointment of the appropriate standing committee.

**\*House Bill No. 0003 -- State Employees --** Passed second consideration and held on Clerk's desk pending appointment of the appropriate standing committee.

**\*House Bill No. 0004 -- Alcoholic Beverages --** Passed second consideration and held on Clerk's desk pending appointment of the appropriate standing committee.

**\*House Bill No. 0005 -- Economic and Community Development --** Passed second consideration and held on Clerk's desk pending appointment of the appropriate standing committee.

**\*House Bill No. 0006 -- Welfare --** Passed second consideration and held on Clerk's desk pending appointment of the appropriate standing committee.

**\*House Bill No. 0007 -- Motor Vehicles --** Passed second consideration and held on Clerk's desk pending appointment of the appropriate standing committee.

**House Bill No. 0008 -- Sequatchie County --** Passed second consideration and held on Clerk's desk pending approval by the local legislative delegation.

**\*House Bill No. 0009 -- Election Laws --** Passed second consideration and held on Clerk's desk pending appointment of the appropriate standing committee.

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**House Bill No. 0010** -- Hospitals and Health Care Facilities -- Passed second consideration and held on Clerk's desk pending appointment of the appropriate standing committee.

**\*House Bill No. 0011** -- Taxes, Income -- Passed second consideration and held on Clerk's desk pending appointment of the appropriate standing committee.

**House Bill No. 0012** -- Statutes -- Passed second consideration and held on Clerk's desk pending appointment of the appropriate standing committee.

**\*House Bill No. 0013** -- Hospitals and Health Care Facilities -- Passed second consideration and held on Clerk's desk pending appointment of the appropriate standing committee.

**House Bill No. 0014** -- Gatlinburg -- Passed second consideration and held on Clerk's desk pending approval by the local legislative delegation.

**\*House Bill No. 0015** -- Game and Fish Laws -- Passed second consideration and held on Clerk's desk pending appointment of the appropriate standing committee.

**House Bill No. 0016** -- Gatlinburg -- Passed second consideration and held on Clerk's desk pending approval by the local legislative delegation.

**House Bill No. 0017** -- Gatlinburg -- Passed second consideration and held on Clerk's desk pending approval by the local legislative delegation.

**MESSAGE FROM THE SENATE**

**JANUARY 11, 1989**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolution(s) No(s). 4 and 5; signed by the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**ENGROSSED BILLS**

**JANUARY 11, 1989**

**MR. SPEAKER:** Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following; House Joint Resolution(s) No(s). 4 and 5; for his action.

**BETTY KAY FRANCIS,**  
Chief Engrossing Clerk.

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MESSAGE FROM THE SENATE  
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MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 20; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Senate Joint Resolution No. 0020 -- General Assembly, Statement of Intent Or Position -- Submits for adoption report of joint committee reviewing current audit of comptroller and treasurer.

MESSAGE FROM THE SENATE  
JANUARY 11, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 3 and 4; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

SIGNED  
JANUARY 11, 1989

The Speaker announced that he had signed the following: Senate Joint Resolution(s) No(s). 3 and 4.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 97

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.



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**MOTION TO RECESS**

Representative Naifeh moved that, pursuant to Senate Joint Resolution No. 3, the House stand in recess for the purpose of meeting with the Senate in Joint Convention; and further moved that, at the conclusion of the Joint Convention, pursuant to Senate Joint Resolution No. 4, the House adjourn its Organizational Session and convene in Regular Session at 9:00 a.m. on Thursday, January 12, 1989, which motion prevailed.